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Legislation Affecting Local Government

Alvin B. Rubin and R. Gordon Kean***

The largest number of legislative enactments in the field of local government dealt with increases in compensation for various officers and with detailed changes in pension plan provisions resulting by and large in minor expansions in coverage and increases in benefits. Few basic policy changes in these fields were made. Encroachment by the Legislature in matters of purely local concern was notable in the field of the fire and police services, and this, together with the detailed enactments in various fields, suggest the desirability of some other approach to the problems of local government. Where such consideration is desirable, reference is made to it in the topical analysis. In this analysis, no effort has been made to exhaust the statutory detail. The chief purpose has been to point out the general nature of each statutory enactment for informational purposes. Those interested in detailed study of any of the large number of statutes here considered will of course wish to study at length the specific statute in which they are interested.

Compensation Paid Public Officials

Police jurors. The per diem compensation of police jurors was increased from \$20.00 to \$30.00. The maximum number of days for which compensation may be drawn in any year remains 52.¹

Sheriffs. The salaries of sheriffs were increased considerably in all but 7 parishes.² The increase was \$1,200.00 a year in most parishes.³ In 21 parishes the sheriffs' salary fund was increased by increasing the commissions withheld from tax collections.⁴ As amended the commissions range from something less than

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1. La. Acts 1956, No. 187, amending LA. R.S. 33:1233 (1950).

2. No change was made for sheriffs in Red River, St. Bernard, West Feliciana, East Feliciana, Grant, Natchitoches, and Plaquemines Parishes.

3. Increases varying from the pattern were: Ouachita, \$500.00; Bienville and Union, \$600.00; Jackson, \$800.00; Claiborne, \$1,000.00.

4. La. Acts 1956, No. 343, amending LA. R.S. 33:1423 (1950).

7%⁵ to a maximum of 16%.⁶ Monthly salaries of officials in the Orleans Parish Criminal Sheriff's office were increased⁷ and a provision of the prior law which authorized the City Council to determine salaries for these officers, but at not less than the stated amount, was deleted.⁸ The repeated and detailed consideration of such salaries, parish by parish, indicates the desirability of a legislative study aimed at fixing compensation by some systematic statewide basis, perhaps by classification of parishes by population.

Firemen. Minimum salaries for firemen in municipalities having a population of 13,000 or more were increased to \$300.00 monthly. Correspondingly higher minimum salaries were set for engineers, lieutenants, captains, and other personnel. "Longevity" or continuous service increases were set at 2% for the first 3 years of continuous service and 2% for each year thereafter up to 20 years.⁹ Serious problems of financing the increased scale have arisen in several of the cities of the state, and in addition, municipal employees in other classifications will perhaps be forced to suffer because of a salary scale fixed for a single group selected for special consideration. The providing of "minimum" salary schedules by the Legislature for specialized groups, without consideration of over-all budgetary requirements, not only raises difficult financial problems on the municipal level, but is impeding the establishment of a proper and healthy state-municipal relationship.

Municipal police. To provide for "better enforcement of law, and particularly the enforcement of state laws by municipal police officers," the state will pay additional compensation to all municipal police officers.¹⁰ Officers with one year service will receive \$16.66 monthly; officers with three years service will receive \$33.32 monthly; and officers with six years service will receive \$50.00 monthly. The statutory language is interesting, for these supplemental benefits are to be paid to officers who have completed the specified period of service "as of July 1,

5. In East Baton Rouge and Ouachita the commission is 7% on the first \$225,000.00. In each of these parishes the commission ranges downward thereafter, on a different scale for each parish.

6. Cameron, East Feliciana, St. Helena, and West Feliciana.

7. Chief Deputy, \$350.00 to \$560.00; Warden, \$310.00 to \$415.00; First Assistant Warden, \$280.00 to \$380.00; Second Assistant Warden, \$250.00 to \$350.00.

8. La. Acts 1954, No. 673.

9. La. Acts 1956, No. 219, amending La. R.S. 33:1992 (1950).

10. La. Acts 1956, No. 323, adding La. R.S. 33:2218.1 *et seq.* (Supp. 1956).

1956." The statute contains no express language authorizing supplemental pay benefits for police officers who later accrue service of the requisite duration. Reductions in salaries of police officers are declared void "where . . . made solely by reason of the additional compensation by the state."¹¹ Without attempting to comment upon the effect of a policy of additional benefits payable by the state to specialized municipal groups, it suffices to say that such a policy, without regard or consideration to local pay scales, is likely to cause additional financing problems for the municipalities, who must explain such benefits to other employees not so favored, and perhaps for the Legislature itself, should other municipal employees seek similar state benefits.

Constables and justices of the peace. The minimum salary for constables and justices of the peace in parishes having a population of more than 10,000 was set at \$20.00 monthly.¹² Previously, the minimum had been \$100.00 a year and the minimum applied only to parishes having a population of more than 15,000.¹³

Courthouse Commission. A salary of \$4,000.00 a year was provided for the President of the Courthouse Commission for the City of New Orleans, who has hitherto served without compensation.¹⁴

Waterworks District Commissioners. The per diem for commissioners of waterworks districts was increased from \$10.00 to \$20.00.¹⁵

Recreational District Boards. A per diem of \$10.00 for members of the boards of commissioners of recreational districts was authorized.¹⁶

Alcoholic Beverage Control Board. This board was not only revived, but the chairman was authorized to receive a salary of \$10,000.00 per year, and the remaining four members a salary of \$7,000.00 per annum. Since the duties of the Board were previously handled by the Collector of Revenue, it appears difficult to justify the salaries indicated.¹⁷

11. La. Acts 1956, No. 323, § 5, adding LA. R.S. 33:2218.5 (Supp. 1956).

12. La. Acts 1956, No. 369, amending LA. R.S. 33:1702 (1950).

13. La. Acts 1952, No. 365.

14. La. Acts 1956, No. 329, amending LA. R.S. 33:1852 (1950).

15. La. Acts 1956, No. 23, amending LA. R.S. 33:3819 (1950).

16. La. Acts 1956, No. 456, amending LA. R.S. 33:4564 (1950).

17. La. Acts 1956, No. 36, amending LA. R.S. 1, 21-34, 40, 72 (1950).

Planning and Zoning

Planning commission personnel. Personnel of planning commissions are hereafter to be appointed by the police jury or other parish governing authority, instead of by the chief executive of the parish.¹⁸

Regional planning. The creation of authority for regional planning areas should permit more effective planning for urban areas spread beyond a municipality's limits or over several parishes.¹⁹ A regional planning area may be created by a municipality and a surrounding or contiguous parish, two or more contiguous municipalities, or by any one or more municipalities and one or more parishes all forming a single "urbanized and suburbanized area."²⁰ The Regional Planning Commission shall consist of not less than five nor more than nine members who shall serve without compensation and shall hold no other public office. The Commissioners are to serve for staggered terms and are to be appointed by the chief executives of the participating municipalities and by the governing bodies of the participating parishes.²¹ The statute contains detailed provisions dealing with organization of the Commission, its meetings and rules,²² its staff and finances,²³ and its general powers and duties.²⁴ The Commission is authorized to prepare, file, and distribute a regional development plan.²⁵ The Regional Planning Commission may not exercise the functions of a municipal or parish planning commission, unless it is authorized to do so by the particular municipality or parish.²⁶ If so authorized, however, it shall have the powers and functions of municipal and parish planning commissions. Provision is also made for integration of the work of local planning agencies,²⁷ and for receipt of possible federal, state, or local aid.²⁸ The Commission may attend planning conferences or meetings and may receive reimbursement for reasonable travel expenses.²⁹ It may enter upon and survey lands, place and main-

18. La. Acts 1956, No. 135, amending LA. R.S. 33:103 (1950).

19. La. Acts 1956, No. 239, adding LA. R.S. 33:131 *et seq.* (Supp. 1956).

20. La. Acts 1956, No. 239, § 1, adding LA. R.S. 33:131 (Supp. 1956).

21. La. Acts 1956, No. 239, § 2, adding LA. R.S. 33:132 (Supp. 1956).

22. La. Acts 1956, No. 239, § 3, adding LA. R.S. 33:133 (Supp. 1956).

23. La. Acts 1956, No. 239, § 4, adding LA. R.S. 33:134 (Supp. 1956).

24. La. Acts 1956, No. 239, § 5, adding LA. R.S. 33:135 (Supp. 1956).

25. La. Acts 1956, No. 239, § 6, adding LA. R.S. 33:136 (Supp. 1956).

26. La. Acts 1956, No. 239, § 7, adding LA. R.S. 33:137 (Supp. 1956).

27. La. Acts 1956, No. 239, § 8, adding LA. R.S. 33:138 (Supp. 1956).

28. La. Acts 1956, No. 239, § 9, adding LA. R.S. 33:139 (Supp. 1956).

29. La. Acts 1956, No. 239, § 10, adding LA. R.S. 33:140 (Supp. 1956).

tain necessary monuments and marks, and "shall have such powers as may be necessary to enable it to fulfill its functions."³⁰

Zoning. Parish governing authorities were authorized to zone in order to regulate hunting and the shooting of firearms in heavily populated areas and to set penalties for violation of such zoning ordinances.³¹ Contingent upon adoption of a proposed constitutional amendment, East Baton Rouge Parish was authorized to zone its territory outside of the incorporated areas of the parish.³²

Joint action by parishes and municipalities. The authority granted to parishes and municipalities to act jointly in providing governmental services was extended to "a parish acting jointly with one or more municipalities within" its limits.³³ The authority to acquire property was extended to commissions, in addition to parishes and municipalities, and a procedure for condemnation or expropriation of property for use in providing joint local services was provided.³⁴

Municipal Finance

Sales tax. East Baton Rouge Parish was authorized to levy a 1% tax on sales within the parish but outside any incorporated municipality.³⁵

Municipal revenue bonds. Municipal revenue bonds have been ranked according to the time of delivery of the bonds. In 1955, it was provided that provision may be made in any issue or series of bonds for the issuance of additional bonds in the future on a parity with the earlier issued bonds.³⁶ 1956 legislation specifically made this provision applicable to bonds already issued.³⁷

Fire Prevention

Fire districts. Fire districts are now required only in cities having a population of 35,000 or more.³⁸ An assistant or district

30. *Ibid.*

31. La. Acts 1956, No. 552, adding LA. R.S. 33:120 (Supp. 1956).

32. La. Acts 1956, No. 621, proposing to amend LA. CONST. art. XIV, § 29.

33. La. Acts 1956, No. 263, amending LA. R.S. 33:1324 (1950).

34. La. Acts 1956, No. 443, amending LA. R.S. 33:1329 (1950).

35. La. Acts 1956, No. 401, amending LA. R.S. 33:2741 (1950).

36. La. Acts 1956, No. 72, amending LA. R.S. 33:4253 (1950).

37. La. Acts 1956, No. 17, amending LA. R.S. 33:4253 (1950).

38. La. Acts 1956, No. 482, amending LA. R.S. 33:34 (1950).

fire chief must be "on active duty on an assigned shift in each respective fire district."³⁹ Fire districts shall now include not more than four fire *stations in service*, rather than four fire "companies."⁴⁰

Fire companies. The statutes relating to fire companies were amended to apply to municipalities with a population of 16,000 or more, instead of with a minimum population of 20,000. Each fire force was formerly required to be in the charge of a member of the department holding the rank of captain; fire forces may now be commanded by officers of higher rank. A provision permitting the use of the rank of lieutenant was deleted.⁴¹ These enactments are but further illustration of unnecessary legislative concern with purely local problems.

Waterworks commissioners. In filling vacancies on the commissions for waterworks districts, police juries and the Governor are no longer obliged to consider recommendations from the district.⁴²

Criminal Sheriff for Orleans Parish. The criminal sheriff for Orleans Parish is required to reimburse the City of New Orleans the surplus remaining from funds received by him for keeping prisoners. Formerly this reimbursement was made quarterly and based upon a quarterly audit. There is hereafter to be an annual audit and reimbursement within 30 days after December 31st of each year.⁴³

Recreational Districts Boards of Commissioners. Provision was made for five-year terms on a staggered basis. Boards were authorized to employ a secretary-treasurer, who is not to be a member of the Board but must be a qualified voter and resident of the district.⁴⁴

Utilities. Municipalities with a population of 100,000 or more were given exclusive jurisdiction to "supervise, govern, regulate and control all trackless trolley busses and motor busses, operating under franchises granted by the municipality, and to fix reasonable and just rates and fares." The municipality is

39. *Ibid.*

40. *Ibid.*

41. La. Acts 1956, No. 359, amending LA. R.S. 33:1961, 33:1967 (1950).

42. La. Acts 1956, No. 229, amending LA. R.S. 33:3813 (1950).

43. La. Acts 1956, No. 477, amending LA. R.S. 33:1523 (1950).

44. La. Acts 1956, No. 456, amending LA. R.S. 33:4564 (1950).

given wide authority,⁴⁵ including the power to adopt reasonable rates and regulations, to summon and compel the attendance of witnesses and the production of records.⁴⁶ Rate orders shall take effect unless enjoined and a procedure for obtaining interlocutory injunctions was provided.⁴⁷ Appeals from municipal orders must be taken within 90 days, and are to be tried summarily.⁴⁸ Penalties for violation of municipal orders were provided.⁴⁹

Public Improvements

Orleans Parish sewerage, water, or drainage systems. The statute which permitted expropriation in parishes adjoining the Parish of Orleans was expanded to permit expropriation in Plaquemines, St. Bernard, Jefferson, and St. Charles Parishes.⁵⁰ If intake lines are constructed to use water from the Mississippi River, the Orleans Parish Board must sell the water boards of the parishes in which the lines are located "reasonable amounts of water passing through the facilities thus created at the cost of the water to the board."⁵¹

Street improvements. Ordinances providing for street improvements need no longer set forth the contract for the improvements in full. It suffices "if the resolution refers to a copy of the contract on file in the office of the clerk or secretary where it is available for public inspection."⁵²

Municipalities may divide the total project approved at a hearing into two or more parts and may advertise for bids or levy assessments for each part separately.⁵³

Contributions to project costs may be made by the municipality from other funds so as to result in an identical assessment per front foot of all tracts of abutting property regardless of variations in actual cost. It was expressly provided that this was to clarify present law rather than to make any change in law, and prior proceedings conforming to the statute were validated.⁵⁴

45. La. Acts 1956, No. 234, adding LA. R.S. 33:4504 (Supp. 1956).

46. La. Acts 1956, No. 234, § 3, adding LA. R.S. 33:4506 (Supp. 1956).

47. La. Acts 1956, No. 234, § 4, adding LA. R.S. 33:4507 (Supp. 1956).

48. La. Acts 1956, No. 234, § 5, adding LA. R.S. 33:4508 (Supp. 1956).

49. La. Acts 1956, No. 234, § 6, adding LA. R.S. 33:4509 (Supp. 1956).

50. La. Acts 1956, No. 426, amending LA. R.S. 33:4078 (1950).

51. *Ibid.*

52. La. Acts 1956, No. 430, amending LA. R.S. 33:3304 (1950).

53. La. Acts 1956, No. 430, adding LA. R.S. 33:3318 (Supp. 1956).

54. *Ibid.*

The period within which ordinances authorizing certificates of indebtedness or assessments of property owners may be attacked was limited to 30 days.⁵⁵

It was previously provided that where street or sidewalk improvements were undertaken by a municipality, the cost of the work might be reported after completion. If a contract was awarded, the cost was to be reported when the contract was awarded. The statute was amended to provide that the municipality may require a report when the contract is awarded, and shall do so when the work is completed, whether the work is let by contract or undertaken by the municipality.⁵⁶

The assessment of property abutting street improvements has been the traditional method of paying for local improvements. Municipalities may now include any "lot or parcel of real estate . . . within one hundred (100') feet on each side of the street" in the properties subject to assessment for street improvements.⁵⁷ Although the act specifically provides that property so situated "shall be deemed to be benefited" by such improvements, it may be that a court might find otherwise in a particular case. The obvious purpose of the statute was to prevent abutting property owners from avoiding the assessment by the creation of small tracts immediately adjacent to the street, separating the street from larger tracts which nonetheless benefit from the improvement. Since the basis of local assessments on a "front foot basis" is the benefit derived by the property from the improvement, serious legal complications may arise in specific cases, particularly where no issue of attempted avoidance of liability for street improvements is involved.

Pension funds. A number of detailed changes in the provisions governing the various pension funds authorized for employees of local government units were made. Louisiana has an elaborate statutory structure, providing separate types of pension funds for various employees of local government units. The statutory detail necessary for such a system, the amount of separate legislative consideration of changes in each system required, and the variance in cost and benefits in each fund suggest the desirability of a legislative study of a single pension plan to cover all employees of local government units. Such a plan

55. La. Acts 1956, No. 430, adding LA. R.S. 33:3319 (Supp. 1956).

56. La. Acts 1956, No. 407, amending LA. R.S. 33:3305 (1950).

57. La. Acts 1956, No. 517, adding LA. R.S. 33:3675.5 (Supp. 1956).

would have obvious advantages, and the Legislature could then create and control pension policy with a degree of equity and uniformity obviously impossible under the present conditions.

Sheriffs Pension and Relief Fund. Only employees less than 50 years of age may join this fund. This maximum age limitation formerly did not apply to any "deputy" who had previously contributed to the fund and had later rejoined the fund. Now the age limitation does not apply to any *person* who has previously contributed to the fund and has not withdrawn any part of his contributions, or to any person who has served as sheriff for a period of 12 years or more and has previously been a member of the fund.⁵⁸

The category of persons permitted to draw benefits was expanded. The plan had formerly provided that benefits were not to be payable to any person receiving compensation from the sheriffs' salary fund, employees of the state, or of its subdivisions, commissions or agencies, except widows with minor children. This was amended to prohibit payment only to persons employed by or in a parochial office, and the prohibition was made inapplicable to registrars of voters.⁵⁹

The Board of Trustees of the Sheriffs' Pension and Relief Fund is now authorized to waive the requirements that members be physically fit upon joining the plan, if "the disability is only partial and the *deputy* shall agree to waive the right to ever claim disability benefits on account thereof."⁶⁰ The statutory language leaves open the question of whether the waiver would apply to the right to claim death benefits.⁶¹ A provision was inserted to prohibit disability benefits for deputies over 50 years of age who become members of the plan unless the disability "shall result wholly from accidental means."⁶² The requirement of physical fitness has been deleted for persons who rejoin the plan after having formerly participated.⁶³

Parochial employees. Maximum benefits were increased by changing the maximum average final compensation on which a pension may be based from \$4,800.00 to \$7,500.00 annually.⁶⁴

58. La. Acts 1956, No. 464, amending LA. R.S. 33:1453 (1950).

59. La. Acts 1956, No. 464, amending LA. R.S. 33:1454 (1950).

60. La. Acts 1956, No. 464, amending LA. R.S. 33:1457 (1950).

61. *Ibid.*

62. *Ibid.*

63. *Ibid.*

64. La. Acts 1956, No. 448, amending LA. R.S. 33:6101 (1950).

The plan permits the retirement of members before reaching the age of 65. In such cases the credit for prior service is reduced 3% for each year of age below 65. This limitation was restricted by adding a provision that, if the retired member has 30 or more years of service, the deduction shall apply only to retirement before age 60, and shall then be 3% for each year of age below 60.⁶⁵

Survivor benefits were provided. A widow who has been married to a member of the fund for not less than 2 years immediately preceding his death, who is at least 50 years of age and who is not eligible for social security or retirement benefits is eligible for benefits provided her husband completed 20 or more years of service and died prior to retirement.⁶⁶ The pension is to cease upon the widow's becoming eligible for social security or retirement benefits or upon her remarriage.

The interest on contributions is to be computed on the balance in the fund at the beginning of the year instead of on the mean amount for the preceding year.⁶⁷

Municipal employees. One year of service is required for eligibility in the system. New employees were previously defined as those who became employees after establishment of the system. This was changed to include as employees "persons who become employees . . . after the date as of which an agreement covering their services is executed."⁶⁸

An employee paid jointly by a parish and a municipality may elect to become a member of the system. In such case, both coverage and benefits are to be based on the full amount of the compensation from both sources, less \$1,200.00 a year. The municipality is to contribute to the retirement system, based upon the total compensation, and is to withhold contributions from the member, based on his full compensation from both sources, less \$1,200.00 a year. Election to qualify must be made prior to January 1, 1957. An employee who elects to qualify for the Municipal Employees System ceases to be a member of the Parochial Employees Retirement System.⁶⁹

65. La. Acts 1956, No. 448, amending LA. R.S. 33:6172 (1950).

66. La. Acts 1956, No. 448, amending LA. R.S. 33:6178 (1950).

67. La. Acts 1956, No. 448, amending LA. R.S. 33:6221 (1950).

68. La. Acts 1956, No. 188, amending LA. R.S. 33:7191 (1950).

69. *Ibid.*

Previously, to receive credit for prior service, an employee was required to elect coverage within one year after establishment of the retirement system. This date was extended to January 1, 1957. However, neither the title of the statute in which this section was contained nor the enacting provision contained any reference to this provision or to the section of the Revised Statutes amended by it.⁷⁰

Widows' benefits were provided for the widows of members who completed 20 years of service and died prior to retirement and after January 1, 1955, if the widow is not eligible for social security or retirement benefits. The widow's pension is to cease upon her becoming eligible for social security or retirement benefits or upon her remarriage.⁷¹

Several changes were made in the administration of the system. There are to be seven trustees instead of six. The secretary of the Louisiana Municipal Association is no longer a member. The members of the system are to elect six members of the Board and of these, four must have at least four years of creditable service. These four members are to be elected for four-year terms at the annual meeting of the Louisiana Municipal Association. Two of the trustees are to be elected by mailed ballot for three and four year terms respectively, the longer term going to the nominee receiving the most ballots. The President of the Louisiana Municipal Association remains ex-officio a trustee. Trustees shall serve without compensation, as previously, but whenever a member of the Board of Trustees is appointed to serve as Secretary-Manager, the Board "may fix such compensation for the services rendered in this capacity as it determines to be reasonable."⁷²

The Board of Trustees is to be the custodian of the various funds, instead of the State Treasurer, as previously provided.⁷³

Interest on contributions is to be computed on the balance in the fund at the end of the preceding year instead of on the mean balance for the preceding year.⁷⁴

Payments are to be made directly into the fund by the sheriff and ex-officio tax collector, instead of only by the employee.

70. La. Acts 1956, No. 188, amending LA. R.S. 33:7193 (1950).

71. La. Acts 1956, No. 188, amending LA. R.S. 33:7278 (1950).

72. La. Acts 1956, No. 188, amending LA. R.S. 33:7311 (1950).

73. La. Acts 1956, No. 188, amending LA. R.S. 33:7352 (1950).

74. La. Acts 1956, No. 188, amending LA. R.S. 33:7351 (1950).

These payments are to be made annually instead of quarterly, as previously provided. Each sheriff and ex-officio tax collector is to deduct $\frac{1}{4}$ of 1% of the aggregate amount of the tax shown to be collected by the tax roll of each parish, except Orleans Parish. This fund is to be turned over to the Municipal Employees Retirement System periodically at the same time the sheriff disburses funds to the tax recipient bodies beginning with collections from the 1956 tax roll. If this is more than the amount needed, the Board of Trustees shall instruct the sheriff to deduct a smaller percentage. If it is less than needed, an additional amount shall be contributed by each employer, based upon a method of computation provided in the statute.⁷⁵

Fire department. Provision was contained in a 1954 amendment⁷⁶ for pensions for widows of firemen who died between January 1, 1930, and August 1, 1954. This provision was deleted. A provision was added to provide for such pensions for widows of firemen in the employ of the fire department of the City of New Orleans who died between January 1, 1920, and August 1, 1954, inclusive. This pension is to begin August 1, 1956, and continue until death or remarriage.⁷⁷

Persons who became members of the fire department after July 28, 1948, were not eligible to receive retirement benefits until age 50, unless retired for disability. This limitation was deleted.⁷⁸

The maximum pension was fixed at \$300.00 per month, but this does not apply to persons who retired at a greater rate prior to enactment of the maximum.⁷⁹

Police Department — New Orleans. A provision was added that persons could qualify for pensions if they were inducted into the police department of the City of New Orleans between the years 1934 and 1944, both inclusive. Such persons are eligible for retirement upon completion of 16 years continuous service. The pension is fixed as an annuity based on 40% of the average compensation during the last year of service immediately preceding the date of retirement.⁸⁰

75. La. Acts 1956, No. 188, amending LA. R.S. 33:7396 (1950).

76. La. Acts 1954, No. 212.

77. La. Acts 1956, No. 91, amending LA. R.S. 33:2114 (1950).

78. La. Acts 1956, No. 444, amending LA. R.S. 33:2117 (1950).

79. La. Acts 1956, No. 137, amending LA. R.S. 33:2234 (1950).

80. La. Acts 1956, No. 37, adding LA. R.S. 33:2293-A (Supp. 1956).

Sewage Disposal Board — Orleans. The pension fund is required to be "actuarially sound" and "co-ordinated with and supplementary to Title II of the Federal Social Security Act." The pension fund was formerly based on 3% of wages received. It is now to be based on 4% of compensation received in excess of \$1,200.00 per year.⁸¹

Miscellaneous matters. In addition to the general statutory changes outlined above, there were numerous legislative enactments relating to specific municipalities. Three such statutes applied solely to the City of Monroe;⁸² the town of Basile was authorized to extend its jurisdiction in the case of violations of ordinances to 150 feet south of the "Southern corporate line";⁸³ the boundaries of Mandeville and New Iberia were extended;⁸⁴ and a procedure for "metropolitan planning" was provided for the Town of Benton.⁸⁵ The salaries of the city marshals of Natchitoches,⁸⁶ New Iberia,⁸⁷ and Shreveport⁸⁸ were the subject of legislative deliberation. The charter of Morgan City was amended to include authority to pave streets and sidewalks and to levy such assessments relating thereto, even though general statutory provisions appear ample for this purpose.⁸⁹ Calcasieu Parish was authorized to buy a fire engine for use of the parish and of the Town of Vinton,⁹⁰ and Cameron Parish was authorized to establish regulations designed to punish trespass by "hunters and fishermen" on "unenclosed lands and waters" within the parish.⁹¹

Assuming the necessity and validity of these enactments, the multiplicity of such statutes suggests that the problem of local legislation is one that needs to be reviewed carefully not only by the legislators, but by the municipal and parochial officials who request their passage. "Home rule" is too often used as an excuse by both the legislators and the local officials for avoiding responsibility, rather than fixing it.

81. La. Acts 1956, No. 551, amending LA. R.S. 33:4076 (1950).

82. La. Acts 1956, Nos. 89, 255, 256.

83. La. Acts 1956, No. 320.

84. La. Acts 1956, Nos. 54, 270.

85. La. Acts 1956, No. 558.

86. La. Acts 1956, No. 208, adding LA. R.S. 13:2365 (Supp. 1956).

87. La. Acts 1956, No. 236, adding LA. R.S. 13:2385 (Supp. 1956).

88. La. Acts 1956, No. 18, adding LA. R.S. 13:2446 (Supp. 1956).

89. La. Acts 1956, No. 429.

90. La. Acts 1956, No. 375.

91. La. Acts 1956, No. 355.